

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 1:04-CR-167

Plaintiff,

Hon. Richard Alan Enslen

v.

AARON FRASER,

ORDER

Defendant. /

This matter is before the Court on Defendant Aaron Fraser's Motion for Name Change. Defendant requests the Court issue an Order declaring that Aaron Fraser and Asante Kahari are "one in the same person." The Government has opposed the Motion.

The Court recognizes that Defendant's name at birth was Aaron Fraser. Defendant asserted in a previous Motion that he legally changed his name to Asante Kahari in 1999 and submitted an affidavit of publication to support this claim. (*See* Dkt. No. 17 Ex. 1.) However, Defendant has never submitted an Order from New York State Court indicating his name was legally changed. *See* N.Y. CIV. RIGHTS LAW § 63 (stating court shall make an order when approving a legal name change after publication).

The Court notes Defendant has not yet had any difficulty with obtaining documents in one name or the other but merely speculates as to future inconvenience. If Defendant has legally changed his name and such a name is not an alias, a duplicative Order from this Court is superfluous. Defendant's remedy, to prove an alias is instead a legal name, lies not with this Court but through the normal procedures in state courts which address legal name changes and would evidence the same. Accordingly,

IT IS HEREBY ORDERED Defendant Aaron Fraser's Motion to Change Name (Dkt. No. 74) is **DENIED**.

DATED in Kalamazoo, MI:
May 4, 2007

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE